

Our bill provides a narrow amendment to the Fair Labor Standards Act, to revise the application of HO 12, so that the placement of paper or cardboard materials into a baler or compactor that meets current ANSI safety standards by an employee under age 18 is no longer a violation of the regulation. It affects only the loading phase, which is completely distinguished from the operating phase of the machine.

I have seen these grocery store balers operate. What is needed is a simple, common-sense change, and the bill we are passing today will make that change in a simple, straightforward way.

This bill will open up thousands of youth summer job opportunities without relying on Government programs and grants. The jobs will be there. The young people want them. This bill will remove one significant, unnecessary, regulatory wall between them.

This bill will not change the critically important safety focus of the regulation. In fact, I agree that DOL should remain vigilant and enforce the regulation in cases when the safety of young workers is compromised by use of equipment that does not meet current ANSI safety standards.

This bill would provide only that young workers would be allowed to load balers and compactors that meet the current industry standards that ensure complete safety in their operation. The safety record of this new approach will be borne out by a compromise provision in this amendment that includes specific, modest reporting requirements.

I urge passage of H.R. 1114, with adoption of the amendment offered by Senator HARKIN and myself.

Mr. KENNEDY. Mr. President, I support the substitute for H.R. 1114 that Senator HARKIN and Senator CRAIG have proposed. This legislation is needed to clarify the prohibition in our child labor laws banning the employment of minors in the loading, unloading, or operation of paper balers and paper box compactors. The substitute retains the general prohibition in current law that applies to all such machines. However, where a baler or a compactor meets the current safety standards of the American National Standards Institute, and has an on-off switch with a key lock system in which the key is always in the possession of an adult, then 16- and 17-year-olds will be permitted to load, but not to operate or unload, such machines.

Paper balers have been responsible for the injury and death of too many minors. There is a real danger that the grocery stores that use these machines will allow minors to load balers and compactors that do not meet strict safety standards. Store managers may well assume their machines are safe and allow minors to load them without learning what the standards require.

To reduce that danger, the sponsors of the substitute have included a provision to require reports to the Secretary

of Labor of all significant injuries to minor caused by these machines during the 2 years following enactment. The reports must be filed within 10 days of any injury or death, which will provide adequate time for the Department of Labor or the National Institute for Occupational Safety and Health to investigate the accident and determine its cause. If this change in the law leads to increased injuries or deaths of minors, Congress will have the information to act to require whatever additional prohibition is needed. Failure to make timely and complete injury reports will be penalized by fines up to \$10,000.

We have also received written assurances from the Food Marketing Institute, the largest trade association representing stores that use balers and compactors, that it will undertake a thorough educational campaign to inform its members about the requirements of the standards and the legislation. They have agreed to supply warning labels for the machines their members own and operate that will distinguish between approved machines and those that do not meet the standards. Clearly, we must do all we can to protect those who use these machines.

Finally, the substitute makes two other changes. The bill is drafted as an amendment to the Fair Labor Standards Act, and all of the normal burdens of proof and interpretive principles that apply to exceptions to the act will apply to this amendment. To prevent an unconstitutional delegation of authority to a private organization, the substitute requires the Secretary of Labor to certify that any new standards must be at least as protective of the safety of minors as the current standards, before they take effect.

The goal of this legislation is to make new—and safe—employment opportunities available for young men and women in grocery stores across the Nation.

In closing, I want to thank Dr. Linda Rosenstock and the staff of NIOSH for all of their help in increasing our understanding of the safety problems associated with these machines. Their expertise in occupational safety issues is truly invaluable.

Mr. LOTT. Mr. President, I ask unanimous consent the amendment be considered read and agreed to, the bill be deemed read the third time and passed, the motion to reconsider be laid upon the table, and any statement relating to the measure be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4587) was agreed to.

The bill (H.R. 1114), as amended, was deemed read the third time and passed.

MEASURE READ FOR THE FIRST TIME—H.R. 3396

Mr. LOTT. Mr. President, I understand H.R. 3396 has arrived from the House. I now ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:
A bill (H.R. 3396) to define and protect the institution of marriage.

Mr. LOTT. I now ask for a second reading.

The PRESIDING OFFICER. Is there objection?

Mr. LOTT. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. The bill will remain at the desk to be read, as I understand it, a second time upon the next adjournment of the Senate.

The PRESIDING OFFICER. The Senator is correct.

MEASURE READ FOR THE FIRST TIME—S. 1954

Mr. LOTT. Mr. President, I understand that S. 1954, introduced today by Senator HATCH, is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1954) to establish a uniform and more efficient Federal process for protecting property owners' rights guaranteed by the fifth amendment.

Mr. LOTT. I now ask for a second reading, and I object to my own request on behalf of Senators on the Democratic side of the aisle.

The PRESIDING OFFICER. Objection is heard.

Mr. BRADLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NUCLEAR WASTE POLICY ACT OF 1996—MOTION TO PROCEED

The Senate continued with the consideration of the motion to proceed.

Mr. REID. Mr. President, what I was talking about when the majority leader came upon the floor—and I will also indicate that at such time as he or his representative returns for other unanimous consent requests, I will be happy to yield the floor at that time—Mr. President, in our open society, which is our national heritage and the essence of America, we cannot deny our enemies many of the same freedoms we ourselves enjoy. There are, as well, many foreign interests, some secret, that will want to promote and publicize their existence and goals through outrageous acts of blatant terrorism and destruction. We know this is happening. Indiscriminate killing of women and children is enough to tear at your heart strings.

What better stage could be set for these enemies than a trainload or a